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**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

MILTON R. LOVETT,
 Plaintiff,

v.

MICHAEL J. ASTRUE,
 Commissioner of
 Social Security,
 Defendant.

CIVIL ACTION NO.: 4:11-CV-00614-DMR

STIPULATION AND ~~PROPOSED~~ ORDER
 FOR REMAND PURSUANT TO
 SENTENCE FOUR OF 42 U.S.C. § 405(g),
 AND REQUEST FOR ENTRY OF
 JUDGMENT IN FAVOR OF PLAINTIFF
 AND AGAINST DEFENDANT

IT IS HEREBY STIPULATED, by and between the parties, through their respective counsel of record, that this action be remanded to the Commissioner of Social Security for further administrative action pursuant to section 205(g) of the Social Security Act, as amended, 42 U.S.C. § 405(g), sentence four.

On remand, the Appeals Council will instruct the Administrative Law Judge (ALJ) to update the record and offer Plaintiff the opportunity for a hearing. The ALJ shall determine whether the Medical-Vocational Guidelines direct a finding of disabled, and if not, whether jobs exist in significant numbers in the national economy that Plaintiff can perform. If the ALJ relies on transferrable skills at step five

Respectfully submitted,

/s/ Steven G. Rosales
(As authorized via e-mail on 12/12/11 at 2:17 p.m.)
STEVEN G. ROSALES
Attorney for Plaintiff

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DONNA L. CALVERT
Acting Regional Chief Counsel, Region IX
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By: /s/ Lynn M. Harada
LYNN M. HARADA
Special Assistant U.S. Attorney

Attorneys for Defendant

PURSUANT TO STIPULATION, IT IS SO ORDERED.

RED.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IT IS SO ORDERED

Donna M. Ryu

Judge Donna M. Ryu
United States Magistrate Judge